

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KEITH SEWELL

Plaintiff,

vs.

UNITED STATES OF AMERICA

Defendant.

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**C.A. No. 04-85Erie
District Judge Cohill
Magistrate Judge Baxter**

ORDER

AND NOW, this 16th day of November, 2005;

IT IS HEREBY ORDERED that Plaintiff file a pre-trial narrative statement before December 2, 2005. The taking of a deposition in no way relieves Plaintiff of his obligation to file a pre-trial statement. The statement must include a statement of the facts that will be offered by oral or documentary evidence at trial and shall include a list of all exhibits to be offered into evidence at the trial of the case and a list of the names and addresses of all witnesses the plaintiff intends to call. Plaintiff shall include a summary of the anticipated testimony of all witnesses. Plaintiff's failure to file the statement will result in the dismissal of this case for failure to prosecute.

IT IS FURTHER ORDERED that Defendants file a pre-trial statement within ten days of the date upon which Plaintiff files his statement. The deadline for dispositive motions to be filed in this case remains November 21, 2005.

S/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
CHIEF UNITED STATES MAGISTRATE JUDGE